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**STATE OF IOWA**

# **Senate Journal**

**THURSDAY, MARCH 1, 2018**

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## JOURNAL OF THE SENATE

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FIFTY-THIRD CALENDAR DAY  
THIRTY-SECOND SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, March 1, 2018

The Senate met in regular session at 9:03 a.m., President Whitver presiding.

Prayer was offered by Pastor Stan Johnson of the Evangelical Free Church in Britt, Iowa. He was the guest of Senator Guth.

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Eric Chelgren.

The Journal of Wednesday, February 28, 2018, was approved.

### SPECIAL GUEST

Senator Hogg introduced to the Senate chamber the Honorable Steve Sovern, former member of the Senate from Linn County, Cedar Rapids, Iowa.

The Senate rose and expressed its welcome.

### RECESS

On motion of Senator Dix, the Senate recessed at 9:11 a.m. until 12:30 p.m.

### RECONVENED

The Senate reconvened at 12:39 p.m., President Whitver presiding.

## HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 1, 2018, **passed** the following bill in which the concurrence of the House was asked:

[Senate File 2262](#), a bill for an act relating to final-stage motor vehicle manufacturers.

ALSO: That the House has on March 1, 2018, **amended and passed** the following bill in which the concurrence of the Senate is asked:

[Senate File 2177](#), a bill for an act relating to consumer protection modifying provisions applicable to consumer security freezes and including effective date provisions. ([S-5083](#))

ALSO: That the House has on March 1, 2018, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 2354](#), a bill for an act relating to student personal information protection.

Read first time and referred to committee on **Education**.

[House File 2397](#), a bill for an act relating to the admissibility of evidence of an employee's criminal history in civil actions.

Read first time and referred to committee on **Judiciary**.

[House File 2406](#), a bill for an act establishing shared operational function supplemental weighting for certain licensed social workers and including effective date and applicability provisions.

Read first time and referred to committee on **Education**.

[House File 2446](#), a bill for an act relating to matters under the purview of the utilities division of the department of commerce, providing fees, and making penalties applicable.

Read first time and referred to committee on **Ways and Means**.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bertrand, until he arrives, on request of Senator Dix.

## CONSIDERATION OF BILLS (Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate Files 2238, 2171, and 2249.

### Senate File 2238

On motion of Senator Zaun, Senate File 2238, a bill for an act relating to the criminal offenses of the illegal use of a scanning device or encoding machine and criminal mischief in the third degree, and providing penalties, was taken up for consideration.

Senator Zaun offered amendment S-5080, filed by him from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S-5080 was adopted by a voice vote.

Senator Zaun asked and received unanimous consent that House File 2199 be **substituted** for Senate File 2238.

### House File 2199

On motion of Senator Zaun, House File 2199, a bill for an act relating to the criminal offenses of the illegal use of a scanning device or encoding machine and criminal mischief in the third degree, and providing penalties, was taken up for consideration.

Senator Zaun moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([H.F. 2199](#)), the vote was:

Yeas, 49:

Allen	Dawson	Johnson, C.	Schneider
Behn	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shiple
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirnbach	
Costello	Horn	Ragan	
Danielson	Jochum	Rozenboom	

Nays, none.

Absent, 1:

Bertrand

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

#### WITHDRAWN

Senator Zaun asked and received unanimous consent that [Senate File 2238](#) be **withdrawn** from further consideration of the Senate.

#### [Senate File 2171](#)

On motion of Senator Chelgren, [Senate File 2171](#), a bill for an act relating to subject assessment requirements for successful completion of an approved practitioner preparation program and providing for related matters, was taken up for consideration.

Senator Chelgren offered amendment [S-5078](#), filed by him from the floor to pages 1–2 of the bill, and moved its adoption.

Amendment [S-5078](#) was adopted by a voice vote.

Senator Chelgren moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 2171](#)), the vote was:

Yeas, 46:

Allen	Danielson	Johnson, C.	Rozenboom
Behn	Dawson	Johnson, D.	Schneider
Bisignano	Dix	Kapucian	Schultz
Bolkcom	Dotzler	Kinney	Segebart
Boulton	Edler	Kraayenbrink	Shiple
Bowman	Feenstra	Lofgren	Sinclair
Breitbach	Garrett	Lykam	Smith
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Horn	Quirmbach	
Costello	Jochum	Ragan	

Nays, 3:

Dvorsky	Hogg	Taylor
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Absent, 1:

Bertrand

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### [Senate File 2249](#)

On motion of Senator Guth, [Senate File 2249](#), a bill for an act relating to matters involving insurance and the insurance division of the department of commerce to reflect current practices and resolve inconsistencies, was taken up for consideration.

Senator Guth asked and received unanimous consent that [House File 2237](#) be **substituted** for [Senate File 2249](#).

### House File 2237

On motion of Senator Guth, House File 2237, a bill for an act relating to matters involving insurance and the insurance division of the department of commerce to reflect current practices and resolve inconsistencies, was taken up for consideration.

Senator Guth moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2237), the vote was:

Yeas, 49:

Allen	Dawson	Johnson, C.	Schneider
Behn	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shipley
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	
Danielson	Jochum	Rozenboom	

Nays, none.

Absent, 1:

Bertrand

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### WITHDRAWN

Senator Guth asked and received unanimous consent that Senate File 2249 be **withdrawn** from further consideration of the Senate.

## IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that [Senate File 2171](#) and **House Files 2199** and **2237** be **immediately messaged** to the House.

## CONSIDERATION OF BILLS

(Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate Files 2290, 2299, and 2316.

[Senate File 2290](#)

On motion of Senator Schultz, [Senate File 2290](#), a bill for an act relating to boards of trustees for county and city hospitals, was taken up for consideration.

Senator Schultz moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 2290](#)), the vote was:

Yeas, 49:

Allen	Dawson	Johnson, C.	Schneider
Behn	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	ShIPLEY
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirnbach	
Costello	Horn	Ragan	
Danielson	Jochum	Rozenboom	

Nays, none.

Absent, 1:

Bertrand

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.



### Senate File 2299

On motion of Senator Segebart, [Senate File 2299](#), a bill for an act relating to stroke-related care including the designation of comprehensive and primary stroke centers and acute stroke-ready hospitals, was taken up for consideration.

Senator Segebart offered amendment [S-5079](#), filed by him from the floor to pages 1–2 and amending the title page of the bill, and moved its adoption.

Amendment [S-5079](#) was adopted by a voice vote.

Senator Segebart moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 2299](#)), the vote was:

Yeas, 49:

Allen	Dawson	Johnson, C.	Schneider
Behn	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shipley
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	
Danielson	Jochum	Rozenboom	

Nays, none.

Absent, 1:

Bertrand

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

[Senate File 2316](#)

On motion of Senator Sinclair, [Senate File 2316](#), a bill for an act relating to the division of domestic stock insurers into two or more domestic stock insurers, was taken up for consideration.

Senator Sinclair moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 2316](#)), the vote was:

Yeas, 49:

Allen	Dawson	Johnson, C.	Schneider
Behn	Dix	Johnson, D.	Schultz
Bisignano	Dotzler	Kapucian	Segebart
Bolkcom	Dvorsky	Kinney	Shiple
Boulton	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Lykam	Taylor
Brown	Greene	Mathis	Whitver
Carlin	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirnbach	
Costello	Horn	Ragan	
Danielson	Jochum	Rozenboom	

Nays, none.

Absent, 1:

Bertrand

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **Senate Files 2290, 2299, and 2316** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 1:18 p.m. until 1:00 p.m., Monday, March 5, 2018.

## APPENDIX

### COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

#### COLLEGE STUDENT AID COMMISSION

Ethnic Diversity Report, pursuant to Iowa Code section 261.2. Report received on March 1, 2018.

#### DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT

Comprehensive Public Safety Answering Point Cost and Expenditure Data, pursuant to 2017 Iowa Acts, Chapter 136, section 9, [Senate File 500](#). Report received on March 1, 2018.

#### BOARD OF REGENTS

Data Collection of In-Field Agricultural Practices – Pilot Project Report, pursuant to 2015 Iowa Acts, Chapter 132, section 18. Report received on March 1, 2018.

#### DEPARTMENT OF TRANSPORTATION

Disputed Highway Project Report, pursuant to Iowa Code section 306.54. Report received on March 1, 2018.

### CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Cabin Coffee, Clear Lake—For receiving the Neal Smith Entrepreneur of the Year Award from the Iowa Small Business Development Center. Senator Ragan.

Ruth Fagen, Humbolt—For celebrating her 100<sup>th</sup> birthday. Senator Kraayenbrink.

Grace Johanns, Burlington—For receiving a 2018 Prudential Spirit of Community Award for her exemplary volunteer service. Senator Greene.

Doreen Roy, Burlington—For receiving the 2018 Deb Dalziel Woman Entrepreneurial Award from the Iowa Small Business Development Center. Senator Greene.

## REPORTS OF COMMITTEE MEETINGS

## APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

**Convened:** Thursday, March 1, 2018, 10:00 a.m.

**Members Present:** Guth, Chair; Chapman, Vice Chair; Lykam, and Zumbach.

**Members Absent:** Mathis, Ranking Member (excused).

**Committee Business:** Organizational meeting.

**Adjourned:** 11:20 a.m.

## APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

**Convened:** Thursday, March 1, 2018, 10:25 a.m.

**Members Present:** Costello, Chair; Segebart, Vice Chair; Ragan, Ranking Member; and Bolkcom.

**Members Absent:** Edler (excused).

**Committee Business:** Presentations by Certified Respite Program, Child Protection Centers, Des Moines University-Psychiatric Training Proposal.

**Adjourned:** 11:25 a.m.

## INTRODUCTION OF RESOLUTION

[Senate Resolution 110](#), by Bowman, a resolution for celebrating the 150th birthday of Robert A. Millikan by recognizing his significant contributions to the field of physics.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

## INTRODUCTION OF BILL

[Senate File 2386](#), by Bolkcom, a bill for an act establishing an interim study committee to review and develop recommendations for the appointment of a special prosecutor for incidents involving the use of deadly force by a peace officer.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

## SUBCOMMITTEE ASSIGNMENTS

[Senate File 2202](#)

WAYS AND MEANS: Carlin, Chair; Behn and Dotzler

[Senate File 2234](#)

WAYS AND MEANS: Carlin, Chair; Breitbach and Hogg

[Senate File 2283](#)

WAYS AND MEANS: Carlin, Chair; Edler and Jochum

[Senate File 2292](#)

WAYS AND MEANS: Feenstra, Chair; Hogg and Schultz

[Senate File 2301](#)

WAYS AND MEANS: Dawson, Chair; Bolkcom and Breitbach

[Senate File 2317](#)

WAYS AND MEANS: Brown, Chair; Hogg and Schultz

[Senate File 2348](#)

WAYS AND MEANS: Feenstra, Chair; Behn and Quirmbach

[Senate File 2351](#)

WAYS AND MEANS: Feenstra, Chair; Dawson and Jochum

[Senate File 2372](#)

WAYS AND MEANS: Dawson, Chair; Bolkcom and Breitbach

[House File 631](#)

(Reassigned)

WAYS AND MEANS: Dawson, Chair; Brown and Dotzler

[House File 2305](#)

COMMERCE: Guth, Chair; Boulton and Zumbach

[House File 2340](#)

LOCAL GOVERNMENT: Garrett, Chair; Guth and Hogg

[House File 2351](#)

COMMERCE: Zaun, Chair; Boulton and Breitbach

[House File 2355](#)

VETERANS AFFAIRS: Costello, Chair; Edler and Ragan

[House File 2381](#)

JUDICIARY: Garrett, Chair; Kinney and Sinclair

[House File 2392](#)

JUDICIARY: Edler, Chair; Kinney and Shipley

[House File 2402](#)

JUDICIARY: Sinclair, Chair; Boulton and Schultz

[House File 2405](#)

JUDICIARY: Schultz, Chair; Petersen and Sinclair

[House File 2422](#)

AGRICULTURE: Kapucian, Chair; Brown and Hart

[House File 2456](#)

(Reassigned)

HUMAN RESOURCES: Chelgren, Chair; Bolkcom, Costello, Ragan, and Segebart

#### AMENDMENTS FILED

<a href="#"><u>S-5078</u></a>	<a href="#"><u>S.F. 2171</u></a>	Mark Chelgren
<a href="#"><u>S-5079</u></a>	<a href="#"><u>S.F. 2299</u></a>	Mark Segebart
<a href="#"><u>S-5080</u></a>	<a href="#"><u>S.F. 2238</u></a>	Brad Zaun
<a href="#"><u>S-5081</u></a>	<a href="#"><u>S.F. 2242</u></a>	Dan Zumbach
<a href="#"><u>S-5082</u></a>	<a href="#"><u>S.F. 2367</u></a>	Mark S. Lofgren
<a href="#"><u>S-5083</u></a>	<a href="#"><u>S.F. 2177</u></a>	House
<a href="#"><u>S-5084</u></a>	<a href="#"><u>S.F. 2302</u></a>	Tim L. Kapucian